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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ANDREW K. PROCTOR,

15 Defendant.

Case No. CR 04-615-CBM

**LETTER OF DEFENDANT
ANDREW PROCTOR
SUBMITTED IN CONNECTION
WITH MR. PROCTOR'S
SENTENCING ON NOVEMBER
29, 2004**

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17 Defendant Andrew Proctor respectfully submits his letter to the Court in
18 connection with his sentencing set for November 29, 2004.

19
20 Dated: November 23, 2004

LINER YANKELEVITZ
SUNSHINE & REGENSTREIF LLP

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22 By: 

23 Ellyn S. Garofalo
24 Attorneys for Defendant
ANDREW K. PROCTOR
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Andrew Kent Proctor

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November 20, 2004

Hon. Consuelo B. Marshall
United States District Judge
Central District of California
312 N. Spring Street
Los Angeles, CA 90012

Re: Proctor Case No. CR 04-615-CBM

Dear Judge Marshall:

Thank you in advance for taking the time to read this letter. First, I wanted to express my sincere apologies to the Court for the events which have led to my appearance in this matter. During the past four years, I have had time to reflect upon the decisions that I made and the role that I played in the offense. Although I was not one of the individuals initially solicited in the government's sting, I nevertheless allowed myself to be convinced by a former colleague to participate in the government's scheme. I now realize that I should never have agreed to participate. I can assure the Court that I will never again allow myself to become involved in such activities in the future.

I would also like to apologize to my family. My entire family -- my wife, son (15) and daughters (13 and 8) -- have been affected by this ordeal. To their credit, they have demonstrated the resolution to stay together as a family unit and work through whatever comes their way. They trust in my ability to continue providing for them and have made adjustments in the expectations we have for the future. My wife, Maureen, has been steadfast throughout and values the importance of keeping our family together and focused on raising our children. She continues to fulfill the role of full-time Mom and is highly focused on our three children. Our children have been stellar. They are aware of what has transpired and the restrictions it places on me. They have continued to work hard in school with great success and to participate in their activities. Their continued success is a daily motivator for me and is a constant reminder during my work day.

In addition to my family, the offense has also affected my employment. As a result of this offense, I am no longer able to work with emerging public companies. Nevertheless, I have found new areas of employment. I have been able to redefine my relationship with the world with a great deal of humility and respect for doing simple tasks in the company of good people.

November 20, 2004

Proctor Case No. CR 04-615-CBM

Page 2

I truly believe that I have gained new insights since the time of the offense and have seized the opportunity to learn from my mistakes and focus on what is truly important in my life. I simply ask that this Court allow me to continue on this path and, thus, enable me to continue providing for and fulfilling my responsibilities to my family.

Thank you for your attention to my case and for consideration of this letter.

Sincerely,



Andrew K. Proctor

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1100 Glendon Ave., 14th Floor, Los Angeles, California 90024-3503. On November 23, 2004, I served the within document(s) described as:

**LETTER OF DEFENDANT ANDREW PROCTOR
SUBMITTED IN CONNECTION WITH MR. PROCTOR'S
SENTENCING ON NOVEMBER 29, 2004**

on the interested parties in this action as stated below:

Sam Hernandez
Pretrial Services Officer
United States Pretrial Services Office
312 North Spring Street, 7th Floor
Los Angeles, CA 90012

Jeffrey Backhus
Assistant United States Attorney
United States Attorney's Office
312 North Spring Street
Los Angeles, CA 90012

COURTESY COPY:

Hon. Consuelo B. Marshall
United States District Judge
Central District of California
312 N. Spring Street
Los Angeles, CA 90012

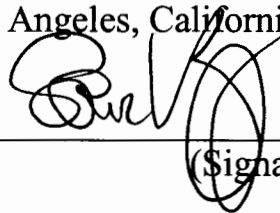
☒ (BY PERSONAL SERVICE) I caused to be delivered a true copy of the foregoing document(s) in a sealed envelope by hand to the offices of the above addressee(s).

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct. I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 24, 2004, at Los Angeles, California.

Steve Kluger

(Type or print name)



(Signature)